

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ROBERT JOSEPH MCCARTY,  
 Plaintiff(s),

vs.

JOHN V. ROOS, et al.,  
 Defendant(s).

Case No. 2:11-cv-01538-JCM-NJK

ORDER GRANTING MOTION FOR  
 SERVICE  
 (Docket No. 140)

Pending before the Court is Plaintiff's motion requesting service of the second amended complaint. *See* Docket No. 140. United States District Judge Mahan already reviewed the second amended complaint, and held that it was "sufficient to proceed past this preliminary stage." *See* Docket No. 132 at 2. The Court has also previously determined that Plaintiff shall be permitted to proceed in this action *in forma pauperis*. *See* Docket No. 31.

As such, IT IS THEREFORE ORDERED that the Clerk of the Court shall issue summons to the named defendants herein, and deliver same to the United States Marshal for service. Plaintiff shall have twenty (20) days in which to furnish to the United States Marshal the required Forms USM-285. Within twenty (20) days after receiving from the U.S. Marshal a copy of the Form USM-285 showing whether service has been accomplished, Plaintiff must file a notice with the Court identifying which defendants were served and which were not served, if any. If Plaintiff wishes to have service again attempted on an unserved defendant(s), then a motion must be filed with the Court identifying the unserved defendant(s) and specifying a more detailed name and/or address for

1 said defendant(s), or whether some other manner of service should be attempted. Pursuant to Rule  
2 4(m) of the Federal Rules of Civil Procedure, service must be accomplished within one hundred  
3 twenty (120) days from the date that the Complaint was filed naming the defendants.

4 IT IS SO ORDERED.

5 DATED: August 12, 2013

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9 NANCY J. KOPPE  
10 United States Magistrate Judge  
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